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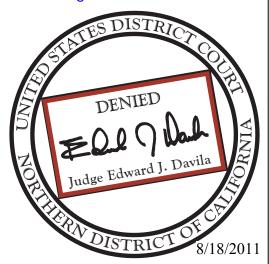
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Attorneys for Plaintiffs J & J Sports Productions, Inc.



UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

J & J SPORTS PRODUCTIONS, INC.,

VS.

NGOC HA T. NGUYEN, et al.

Defendant.

Plaintiff,

CASE NO. 5:11-CV-01166-EJD

PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER **VACATING THE CASE** MANAGEMENT CONFERENCE; AND **ORDER** (Proposed)

TO THE HONORABLE EDWARD J. DAVILA, THE DEFENDANT, AND THEIR ATTORNEYS OF RECORD:

Plaintiff J & J Sports Productions, Inc. hereby applies ex parte for an order vacating the Case Management Conference in this action, presently set for Friday, August 26, 2011 at 1:30 P.M. This request will be, and is, necessitated by the fact that Defendant Ngoc Ha T. Nguyen, individually and d/b/a Vi Sao Café a/k/a Sao Restaurant is in default¹ and Plaintiff's Application for Default Judgment is presently set to be heard before the Honorable Edward J. Davila on September 23, 2011 at 9:00 A.M.

As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

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1	WHEREFORE, Plaintiff respectfully requests that this Honorable Court vacate the Case
2	Management Conference presently scheduled for Friday, August 26, 2011 at 1:30 P.M. or conduct the
3	conference on the same date the hearing on Plaintiff's Application for Default Judgment in order that
4	Plaintiff and its counsel may avoid unnecessary fees and costs in this matter.
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7	Respectfully submitted,
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11	Dated: August 16, 2011 /s/ Thomas P. Riley LAW OFFICES OF THOMAS P. RILEY, P.C.
12	By: Thomas P. Riley
13	Attorneys for Plaintiff J & J Sports Productions, Inc.
14	s et s sports i roddetions, me.
15	IT IS SO ORDERED.
16	The request to continue the conference is DENIED. The Court ordered at the June 8, 2011
17	Case Management Conference that Mr. Riley personally appear at the August 26, 2011 Case
18	Management Conference.
19	Dated: August 18, 2011
20	Edward J. Davila United States District Judge
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PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER VACATING THE CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed) CASE NO. 5:11-cv-01166-EJD PAGE 2